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### REMARKS

Claims 1 and 2 are amended. Claims 3 and 6 are cancelled. The Abstract is amended. The amendments are fully supported by the application as originally filed, for example, Summary of the Invention and page 7 lines 5-6. No new matter is added.

The Abstract is objected to with respect to the term "occupant". The term is replaced by "occupant's". Applicant requests that the objection be withdrawn.

Claims 1, 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over McPherson (US 5,630,616) in view of Acker et al. (US 6,349,964). Applicant traverses the rejection to the extent that it may be maintained.

Applicant discloses a side air bag device comprising a pair of air bags that are inflated to internal pressures different from one another in response to occupant restraint loads. An inflator to provide a gas to expand the air bags is in fluid communication with the pair of air bags by a branching pipe. A one-way valve is mounted in an outlet of the inflator to inhibit the flow of gas from one bag to the other thereby achieving an internal pressure of the pair of air bags different from one another.

McPherson discloses a pair of air bags having individual and independent inflators associated with each air bag (column 2 lines 9-23 and figures 1 and 3). McPherson fails to disclose any cooperating relationship between the pair of air bags and an inflator whereby the internal pressures of the pair of air bags are different from one another upon inflation. Acker et al. fail to remedy this deficiency. The Acker et al. device is comprised of a single air bag having two compartments. The two compartments are filled with gas from a single inflator. The two compartments may momentarily achieve different internal pressures by providing openings to the chambers having different free cross-sections (column 4 lines 34 to column 5 line 13). However, the pressure differential is quickly equalized (column 5 lines 5-13). Although it may

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be desirable for the device of McPherson to provide a pressure differential between the air bags as disclosed by Acker et al., McPherson does not disclose a structure to achieve that result. To modify McPherson based on the teachings of Acker et al. requires some cooperation between the air bags of McPherson during inflation whereby a single inflator provides a pressure differential. Such a modification destroys the structure of McPherson that provides separate air bags and separate inflators in the lower and back seat frames. Applicant respectfully submits that the structures of McPherson and Acker et al. are not combinable and if combined, requires substantial reconstruction and redesign of the structure of McPherson so as to change the principle of operation.

White, Jr. et al. (US 5,848,804) is cited in the Office Action for teaching a one-way valve to inhibit a back flow of gas from one chamber into another chamber of a two-chamber air bag. White discloses an inflator within an air bag mounted in a seatback. The air bag comprises a lower chamber and an upper chamber formed by a divider panel sewn into the air bag. The inflator provides air in series first to the lower chamber then to the upper chamber. A check valve structure is provided in the divider panel to block flow from the upper chamber (the second chamber to inflate) to the lower chamber. As explained at column 6 beginning at line 12, the structure controls the timing and duration of inflation of the air bag. The further, the check valve helps to maintain the upper chamber in an inflated condition for a substantial period of time. White, Jr. et al. do not disclose a check valve at an outlet of the inflator, nor does White, Jr. et al. disclose that the internal pressures of the deployed air bags are different to one another. The lower chamber of White, Jr. et al. may momentarily be at a greater pressure than the upper chamber because the chambers are inflated in series (the lower chamber inflated first), but the structure disclosed by White, Jr. et al. can only result in an equalization of pressure between the two chambers. The structure of White, Jr. et al. is incompatible with the structure of McPherson (two separate air bags as opposed to a single air bag with two chambers). Applicant respectfully submits that the structures of McPherson and White, Jr. et al. are not combinable and if combined, requires substantial reconstruction and redesign of the structure of McPherson so as to

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change the principle of operation.

Yamanishi et al. disclose two air bags mounted in a vehicle door inflatable by one inflator. A duct from the inflator is branched to supply gas to each air bag. There is no back flow valve disclosed in an outlet of the duct with either air bag. Further, there is no teaching that the air bags are or can be inflated to different pressures. There is simply no motivation to combine the structure of Yamanishi et al. with that of McPherson, Acker et al. and Whiter, Jr. et al.

Applicant respectfully submits that claim I, as amended, is allowable over the cited art. There is no motivation found in the cited prior art to combine the teachings of the art as done in the Office Action, and if combined, do not result in Applicant's claimed invention without significant modification of the structures disclosed by the art. Although the cited art each discloses some aspect of the structure of the invention, only the teaching of the Applicant provides the motivation to combine the teachings of the art as combined in the Office Action. Applicant requests the rejection of claim 1 be withdrawn.

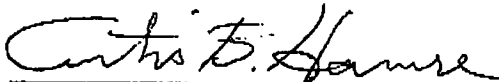
Claims 2 and 4-5 depend from claim I that Applicant submits is allowable for the reasons stated above. Therefore, claims 2 and 4-5 are likewise allowable and Applicant requests the rejection of these claims be withdrawn.

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In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully Submitted,

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Curtis B. Hamre  
Reg. No.: 29,165  
Hamre, Schumann, Mueller & Larson, P.C.  
225 South Sixth Street  
Suite 2650  
Minneapolis, MN 55402  
612.455.3800